

**DUANE MORRIS LLP**

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NORTON MCNAUGHTON OF SQUIRE, INC.,  
JONES APPAREL GROUP, INC.,

Plaintiffs

- against -

M/V MARGRETHE MAERSK, in rem, Maersk  
Line, Maersk Sealand,  
Defendants.

Civil Action No. 07-CV-3716  
(RWS)

**PLAINTIFFS NOTICE OF  
CROSS-MOTION FOR PARTIAL  
SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE** that, upon the annexed Declaration of James W. Carbin, Esq. and exhibits attached thereto, Local Rule 56.1 Statement of Facts, and the accompanying Memorandum of Law, the undersigned, on behalf of Plaintiffs NORTON MCNAUGHTON OF SQUIRE, INC. and JONES APPAREL GROUP, INC. will move this Court, before The Honorable Robert W. Sweet, at the United States Courthouse, 500 Pearl Street, New York, New York, on the 28<sup>th</sup> day of November 2007, or as soon thereafter as counsel may be heard, for an order, under rule 56 of the Federal Rules of Civil Procedure, granting summary judgment in favor of Plaintiffs and ordering Defendants M/V MARGRETHE MAERSK, in rem, Maersk

Line, Maersk Sealand liable for the damaged ladies garments as a matter of law under the Carriage of Goods by Sea Act of 1936, 46 U.S.C. 1304(5).

Dated: November 19, 2007

**DUANE MORRIS LLP**

a Delaware Limited Liability Partnership

By: /s/ James W. Carbin

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TO:

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